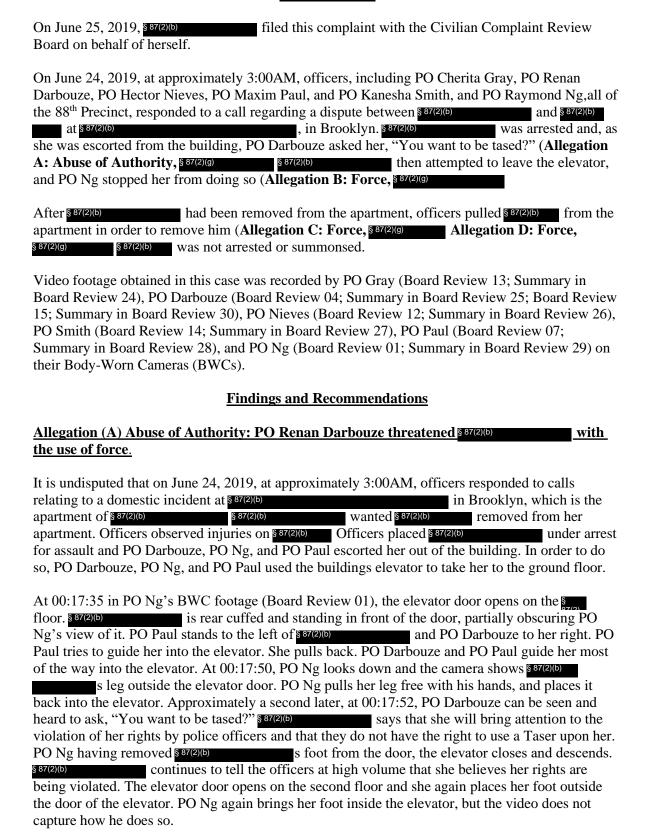
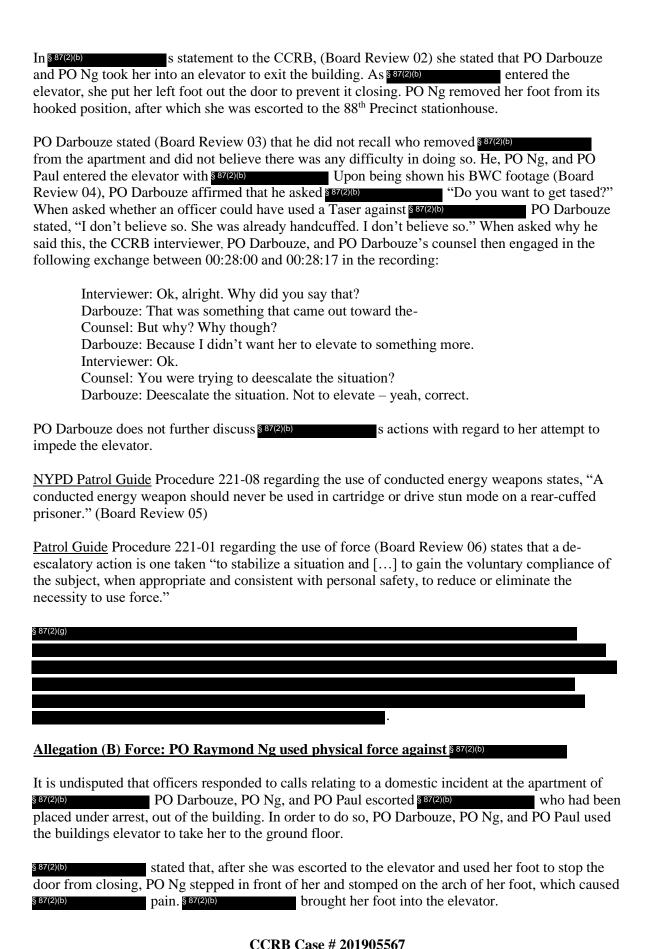
CCRB INVESTIGATIVE RECOMMENDATION

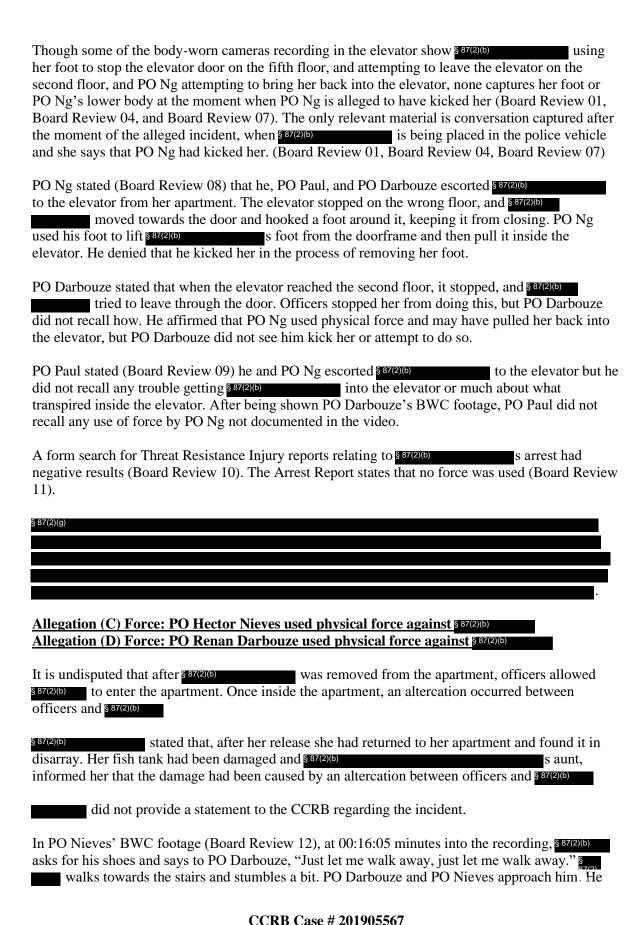
Investigator:		Team:	CCRB Case #:	✓ Force	☐ Discourt.	☐ U.S.
Emlyn Cameron		Squad #12	201905567	☑ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	1	Precinct:	18 Mo. SOL	EO SOL
Monday, 06/24/2019 3:00 AM		§ 87(2)(b)		88	12/24/2020	8/10/2021
Date/Time CV Reported		CV Reported At:	How CV Reported:	: Date/Tin	ne Received at CCI	RB
Tue, 06/25/2019 3:09 PM		CCRB	Phone	Tue, 06/2	25/2019 3:09 PM	
Complainant/Victim	Type	Home Addre	ess	<u> </u>		
Witness(es)		Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. POM Renan Darbouze	13128	942741	088 PCT			
2. POM Hector Nieves	18295	961978	088 PCT			
3. POM Raymond Ng	18218	958448	088 PCT			
Witness Officer(s)	Shield N	Tax No	Cmd Name			
1. POF Cherita Gray	26029	947761	088 PCT			
2. POF Kanesha Smith	12210	961306	088 PCT			
3. POM Maxim Paul	17531	959051	088 PCT			
Officer(s)	Allegatio	on		Inv	vestigator Recon	nmendation
A.POM Renan Darbouze	Abuse: P	Abuse: Police Officer Renan Darbouze threatened 887(2)(b)				
		with the use of force.				
B.POM Raymond Ng	Force: Poagainst	Force: Police Officer Raymond Ng used physical force against § 87(2)(b)				
C.POM Hector Nieves	Force: Police Officer Hector Nieves used physical force against §87(2)(b)			orce		
D.POM Renan Darbouze	Force: Police Officer Renan Darbouze used physical force against § 87(2)(b)					

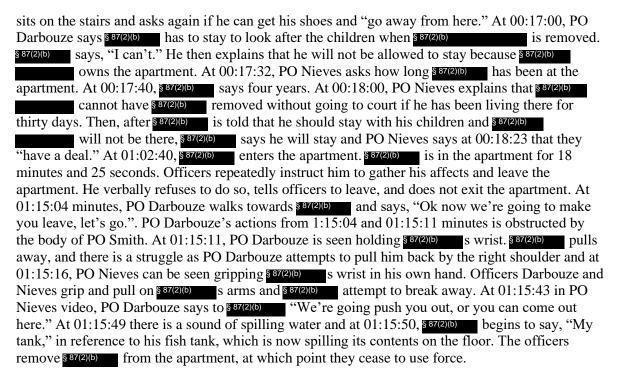
Case Summary





Page 2





In PO Gray's BWC video (Board Review 13), at 00:06:03 minutes, she asks whose apartment it is and \$87(2)(b) says that it is both his and \$87(2)(b) says that it is both his and \$87(2)(b) says that it is both his and \$87(2)(b) says and clarifies that hers is the name on the lease but he pays for everything. At 00:12:24, \$87(2)(b) stands up from some stairs on which he is sitting and repeatedly says he is "just going to go" and that he "wants to walk". He asks if he can grab his belongings. PO Gray says officers will retrieve them. At 00:56:04, \$87(2)(b) says he does not want to fill out a report, he just wants his sneakers, socks, and money. PO Gray asks where his belongings are so he can leave the premises. \$87(2)(b) says they are in the apartment and PO Gray says they will open the door and allow him to grab his things. At 00:58:50, \$87(2)(b) says he does not have keys that can open the door to the apartment. The officers have \$87(2)(b) enters the apartment. From this point forward, the footage from the body-worn cameras assigned to PO Gray, as well as PO Smith (Board Review 14) and PO Darbouze (Board Review 15) are largely consistent with the footage captured by PO Nieve's body-worn camera.

PO Gray stated (Board Review 16) that while discussing how \$\(\) \$\(\) \$\(\) had sustained his injuries, she informed the officers that \$\(\) \$\(\) was not on the lease and did not have keys to the apartment. PO Gray also had previous experience with \$\(\) \$\(\) \$\(\) and \$\(\) \$\(\) \$\(\) that led her to believe \$\(\) \$\(\) did not have the right to remain in the apartment against \$\(\) \$\(\) \$\(\) \$\(\) s wishes.

After \$\(\) \$\(\) \$\(\) was arrested and removed from the apartment, PO Darbouze, PO Nieves, and PO Gray brought \$\(\) \$\(\) was slow to respond to instructions to gather his personal affects and leave. These instructions were repeated numerous times. \$\(\) \$\(\) \$\(\) \$\(\) did not comply. PO Gray did not recall how long this went on, but it was many minutes. Once \$\(\) \$\(\) \$\(\) \$\(\) had his work clothes, PO Darbouze and PO Nieves told him it was time to go, which he refused to do. PO Darbouze and PO Nieves grabbed his arms and tried to pull him out of the apartment. \$\(\) \$\(\) \$\(\) \$\(\) \$\(\) pulled back against this, leading to a five-to-ten-minute struggle in which \$\(\) \$\(\) \$\(\) \$\(\) \$\(\) \$\(\) fell against a fish tank, cracking it. After this he was removed from the apartment. There is nothing to indicate \$\(\) \$\(\) \$\(\) \$\(\) \$\(\) \$\(\) \$\(\) suffered injuries as a result of being removed from the apartment.

PO Smith stated (Board Review 17) that \$87(2)(b) had said she wanted \$87(2)(b) removed when she was gone. PO Smith did not look for the lease. While inside the apartment, \$25(2)(b) to leave at least five times. Officers employed no strikes to remove him.
PO Darbouze stated that \$87(2)(b) had said \$87(2)(b) was not on the lease and could not remain in the apartment without her consent. PO Darbouze did not see the lease and \$87(2)(b) neve provided documentation to the contrary. After \$87(2)(b) was removed, PO Darbouze, PO Gray, PO Smith, and PO Nieves allowed \$87(2)(b) into the apartment so \$87(2)(b) could retrieve his belongings. All officers told \$87(2)(b) to get his belongings and leave multiple times. \$87(2)(b) replied repeatedly that he would not leave. After an extended period, \$87(2)(b) gathered his things, though PO Darbouze did not recall how long this took. Once this was done, \$87(2)(b) was again instructed to leave, and he did not. PO Dabrouze pulled on his arms to remove him from the apartment. PO Darbouze did not use any other force.
PO Nieves stated (Board Review 18) that \$\frac{87(2)(b)}{87(2)(b)}\$ asked to retrieve property from the apartment. PO Darbouze, PO Gray, PO Smith, and PO Nieves brought \$\frac{87(2)(b)}{87(2)(b)}\$ into the apartment and allowed him to remain inside for approximately thirty minutes. PO Nieves removed \$\frac{87(2)(b)}{87(2)(b)}\$ s shoes from the apartment towards the end of the officers' time in the apartment. \$\frac{87(2)(b)}{87(2)(b)}\$ yelled at PO Nieves for removing \$\frac{87(2)(b)}{87(2)(b)}\$ s shoes. PO Nieves approached \$\frac{87(2)(b)}{87(2)(b)}\$ and put him in a bear hug. \$\frac{87(2)(b)}{87(2)(b)}\$ pushed back against this and PO Nieves moved backwards and struck a fish tank, cracking it. PO Darbouze moved towards \$\frac{87(2)(b)}{87(2)(b)}\$ and pulled him away from PO Nieves. PO Darbouze may have pulled on \$\frac{87(2)(b)}{87(2)(b)}\$ s arms, but PO Nieves was not sure. PO Nieves wrapped his arms around \$\frac{87(2)(b)}{87(2)(b)}\$ to remove him from the apartment.
<u>Patrol Guide</u> Procedure 221-01 states that "[i]n all circumstances, any application or use of force must be reasonable under the circumstances. If the force used is unreasonable under the circumstances, it will be deemed excessive and in violation of Department policy." It further states that, "[w]hen appropriate and consistent with personal safety, members of the service will use deescalation techniques to safely gain voluntary compliance from a subject to reduce or eliminate the necessity to use force."
§ 87(2)(g)
\$ 87(2)(g)

(g)			
	<u>Civilian and</u>	d Officer CCRB Histories	
	has been party in three allegations. (Boar § 87(2)(b)	to two previous CCRB complaints and Review 19).	nd has been n
-	gation. (Board Review 20)	e previous CCRB complaint and was r	named as a vi
• PO Ray		per-of-service for four years and has ballegations, none of which were substa	
		ember-of-service for thirteen years and e allegation, which was not substantia	
	tor Nieves has been a mem to which he has been a sub	ber-of-service for three years and this ject.	is the first C
	Mediation,	Civil and Criminal Histories	
• As of Ja Notice of C		r Mediation. ork City Office of the Comptroller has this to complaint (Board Review 21)	
ad No.:			
estigator: _	Signature	Print Title & Name	Date

Squad Leader:			
	Signature	Print Title & Name	Date
D .			
Reviewer:			
	Signature	Print Title & Name	Date